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LETTER DATED 19 MARCH 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 19 March 1992 from Mr. Ahmad Hussein, Minister for Foreign Affairs of the Republic of Iraq, concerning Iraq's fulfilment of its obligations under paragraphs 30 and 31 of Security Council resolution 687 (1991).

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

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Annex

Letter dated 19 March 1992 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Further to our letter of 28 February 1992, we are writing with reference to the letter dated 6 March 1992 from the representatives of France, Kuwait, Saudi Arabia, the United Kingdom and the United States of America addressed to you. It is to be remarked that that letter was drafted hastily, in a manner that is biased against Iraq and without reference to the developments that have taken place in the matter in question. With regard to the false allegations it contains, I should like to state the following:

When we informed you, by our aforesaid letter of 28 February 1992, that Iraq had fulfilled its obligations under paragraphs 30 and 31 of Security Council resolution 687 (1991) we meant thereby that we had, for our part, given effect to the practical measures that must be taken as required by the provisions of those two paragraphs and that that was to be considered an advanced and rapidly achieved stage in the context of closing the file on this matter in cooperation with the United Nations, the International Committee of the Red Cross (ICRC) and the other parties concerned.

The statement made in the letter dated 16 March 1992 from the coalition parties to the effect that our letter of 28 February 1992 was an attempt by Iraq to delay fulfilling its commitments under the Geneva Conventions of 1949 and the relevant Security Council resolutions is untrue. The allegations set forth in the letter of the coalition parties have been made to contain distortions of the facts as a further step in the process of deceiving Arab and international public opinion, and their purpose is to perpetuate the embargo and the unjust economic boycott imposed on Iraq.

Iraq has in fact cooperated with the ICRC delegation in Baghdad, and an announcement and lists of the names of those Kuwaitis whom the Kuwaiti authorities claim are being detained by Iraq were published by it in the Iraqi newspapers Al-Thawrah, Al-Jumhuriyah and Al-Iraq on 10 and 17 March 1992. They will be published again on a number of occasions at the request of ICRC. By its note No. 7/4/1/13/66177 of 11 March 1992 addressed to the ICRC delegation, the Ministry of Foreign Affairs provided notification that the announcement and the lists had been published in several newspapers on a number of occasions. In the note, the Ministry requested the delegation to inform the parties concerned accordingly. Under paragraph 2 of Ministry note No. 7/4/1/13/66109 of 20 February 1992, Mr. Michel Cagneux, ICRC Delegate General for the Middle East and North Africa, visiting Baghdad from 6 to 12 March 1992, was notified of Iraq's readiness immediately to allow ICRC to visit all prisons and places of detention in order to conduct investigations and search for the missing persons in accordance with the customary rules and the Geneva Conventions. Accordingly, the conduct of visits by ICRC has become open and unrestricted. This refutes the allegations of the coalition parties that Iraq has refused to accept the requirement to allow ICRC to carry out such visits.

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It should also be pointed out that, following the Riyadh meeting of 7 March 1991, the competent Iraqi authorities cooperated fully with ICRC and granted it all the facilities necessary to enable it to gather information on missing persons. Any party on the international scene may inform itself of this fact by approaching ICRC itself.

It is stated in the letter of the coalition parties that the Iraqi authorities have not effectively responded to the individual inquiry files submitted by Kuwait and Saudi Arabia in October 1991 and on 18 February 1992.

Anyone who follows this issue closely and in detail will discover that Kuwait, Saudi Arabia and all the countries that are signatories to this letter have fabricated the so-called issue of missing persons in Iraq and have striven with all the authority at their disposal for the issue to become one of the pretexts to be employed against Iraq in order to prolong the economic embargo against it. The truth of the matter is that, throughout the preceding period, a total of 13 inquiry files for missing persons were submitted to the competent Iraqi authorities through ICRC. On their part, the competent Iraqi authorities, acting within the rules and procedures observed, undertook to search and investigate in light of the information provided in the documents that each file contained. The ICRC delegation subsequently received an official reply to each of the questions entered, and the files were then returned to it in accordance with the procedures in force. No other files were subsequently submitted to Iraq. The competent Iraqi authorities, having provided the information requested concerning those files, has met the obligation incumbent on it with regard to this matter, and they have exposed the biased objectives that the coalition parties are pursuing against the people of Iraq and its leadership.

It is also stated in the concluding paragraph of the letter in question from the coalition parties that the competent Iraqi authorities have not responded to ICRC inquiries for information on persons who have died while in custody.

Through its delegation in Baghdad, ICRC was in the past informed of one case of the death of a Kuwaiti person and that person's individual file was transmitted to it. At the time, the delegation handed over the body to relatives in Kuwait in a proper official manner. The competent authorities have no indication of any other cases.

Our letter of 20 February 1992 is not, as is claimed by the coalition parties, a mere declaration of intent. It is rather a true reflection of Iraq's positive attitude, which comes in association with acts that have noble and exalted humanitarian objectives. We here once more affirm that Iraq has fulfilled its obligations as stipulated in paragraphs 30 and 31 of Security Council resolution 687 (1991). We call upon you, the Secretariat, the Security Council and all international humanitarian organizations to try to understand Iraq's positive attitude and to bring pressure to bear on the parties that are signatories to the letter indicated at the head of the present letter to abandon an approach aimed at fabricating crises for the purpose of perpetuating the economic embargo against Iraq.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs